

REMARKS

Amendment to the specification has been made to overcome the Examiner's objection to the disclosure.

In addition, claims 12-29 have been amended to overcome the Examiner's rejection under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the application regards as the invention. The Examiner's thorough reading of the application and suggestions for amendment to the claims is appreciated.

Claim 12 has been rejection by the Examiner under 53 USC 102(d) as being anticipated or, in the alternative, under 35 USC 103(a) as obvious over EP 662,405 to Bar.

Traverse of this rejection will be made on the basis of the amended claims. With regard to the rejection under 35 USC 102(b), the Applicant submits that anticipation is established only when a single prior art reference discloses, expressly or under principles of inherency, each and every element of the claimed invention. RCA Corp. v. Applied Digital Data Systems, Inc., 221 USPQ 385 (Fed. Cir. 1984); *In re Sun*, 31 USPQ 2d 1451 (CAFC 1993); Advanced Display Systems, Inc. v. Kent State University, 540 USPQ 2d 1673 (CAFC 2000).

Further, the Examiner must identify wherein each and every facet of the claimed invention is disclosed in the applied reference. *Ex Parte Levy*, 17 USPQ 2d 1461 (USPTO Board of Patent Appeals and Interferences 1990).

In addition, the Applicant submits that anticipation must meet strict standards and unless all of the same elements are found in exactly the same situation and united in the same way to form identical function in a single prior art reference, there is no anticipation. Tights, Inc. v. Acme-McCary Corporation, et al., 191 USPQ 305 (CAFC 1976).

With this criteria in mind, it is clear in that the front guiding element, in accordance with the present invention is fitted with an upper sliding member and a rear guide element is fitted with a lower sliding member not shown or disclosed in the Bar reference.

In addition, the front guide element is mounted at right angles to the carriage and the rear guide element is mounted in a recessed at right angles thereto. None of this structure is taught or suggested by the Bar reference and accordingly with regard to amended claim 12, a prima facie case of anticipation under 35 USC 102(b) cannot be established. The Examiner therefore is respectfully requested to withdraw the rejection of claim 12 under 35 USC 102(b) on the basis of the Bar reference.

With regard to the rejection of claim 12 under 35 USC 103(a) on the basis of the Bar reference, the Examiner has concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the apparatus of Bar by attaching the front guiding element from above or by attaching the rear guiding element from below. However, there is no hint or

suggestion of the structure of the present invention which includes a front and rear guiding elements which are disposed at right angles to the carriage as can be clearly seen from Figures 2-4 of the present application.

It should be noted that the corresponding carriage 56 of the Bar reference is a complicated 3-dimensional profile which carries respective sliding elements 57, 62 on both its upper and lower sides. This is a rather complicated thing and expensive to manufacture. Also, the arrangement is prone to blockage, in case the respective planes are not aligned to each other exactly.

The present invention differs in that a plain plate forms a carriage, which is easily manufactured at a low cost. In addition, the carriage includes an opening for receiving a rear sliding element. Due to the thin plate shape of the carriage, the front and rear guiding elements adds some possibility to tilt. Thus, the entire arrangement is less prone to blockage.

Due to attachment of the front guiding element to the recess 32.5 from above, and due to the attachment of the rear guiding element through the opening 32.2 from below, these guiding elements are stabilized and held into position by the respective forces F_D and F_Z (see Figure 2) which were induced by the carriage. Thus, the front and rear guiding elements are automatically pressed into the recess 32.5 and opening 32.2 respectively and against the corresponding surfaces of the rails 21.

Since there is no structure taught in the Bar reference which functions in this manner resulting in fewer blockages, the Applicant submits that the Examiner has not established a prima facie case of obviousness under 35 USC 103(a) on the basis of the Bar reference and respectfully requests the Examiner to withdraw the rejection of claim 12 under 35 USC 103(a).

Claim 12 has also been rejected by the Examiner under 35 USC 102(b) as being anticipated, or in the alternative, under 35 USC 103(a) as being obvious over GB 2,207,013 to Badasha.

In traversing these rejections, the Applicant respectfully reiterates the arguments hereinabove set forth with regard to the same rejections based upon the Bar reference. The Badasha reference further teaches away from the present invention through the use rollers and does not teach or suggest any elements similar to the invention as presently claimed.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 12 under 35 USC 112(d) and 35 USC 103(a) on the basis of the Badasha reference.

In view of the arguments hereinabove set forth and amendment to the claims and specification, it is submitted that each of the claims now in the application define patentable subject matter not anticipated by the art of record and not obvious to one skilled in this field who is aware of the references of record. Reconsideration and allowance are respectfully requested.

Respectfully submitted,
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